

STORMWATER REQUIREMENTS IN NEW ORLEANS: UNDERSTANDING ARTICLE 23

Article 23 of the Comprehensive Zoning Ordinance (effective August 12, 2015) provides requirements for landscape, stormwater management and screening. The intent of the stormwater regulations is to encourage sustainable development practices in new development or redevelopment projects, reduce urban runoff into the existing drainage system, diminish subsidence rates, and to comply with federal, state, and local regulations for urban stormwater management. This can be accomplished by slowing the surface flow of stormwater runoff and promoting filtration, plant uptake, absorption, and infiltration into sub-soils.

Who needs to go through this process?

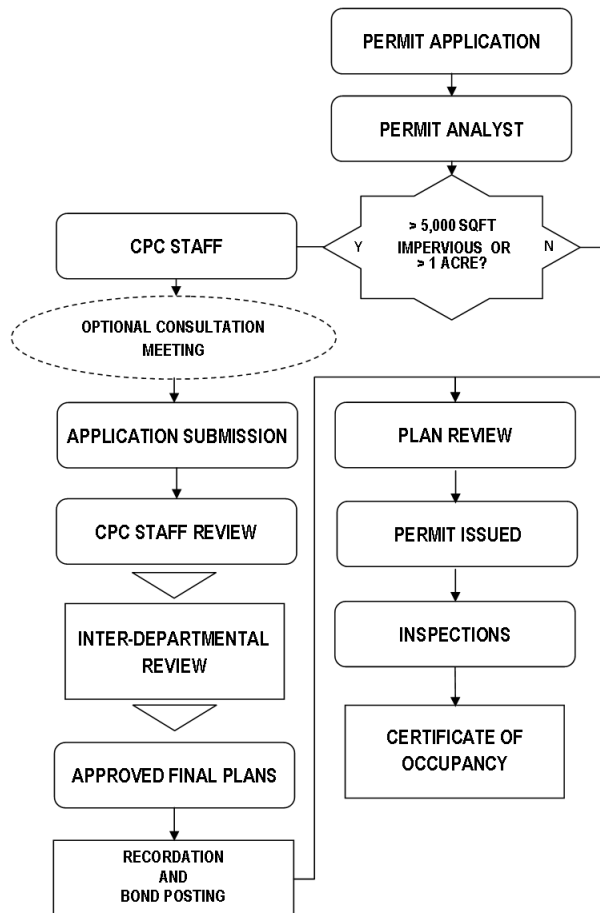
A stormwater management plan shall be submitted as part of any new development, including redevelopment, with the exception of single- or two-family residences, matching either or both of the following criteria:

- A site with five thousand (5,000) square feet or more of impervious surface (please refer to Calculation of Impervious Surfaces worksheet for more information on what is considered impervious), or
- A site of one (1) acre or more in size.

The stormwater management plan shall show compliance with the requirement to retain, detain, and filter the first one and one quarter inch (1.25”) of stormwater runoff during each rain event.

What is the process?

- The Department of Safety and Permits (DS&P) can help determine whether a stormwater management plan (SWMP) is required.
- If needed, the applicant will be referred to the City Planning Commission (CPC) for a pre-application meeting where CPC staff will explain the requirements of the application and provide further clarification and guidance on the stormwater requirements.
- Once an application is submitted, the CPC staff and other departments and agencies will review the plan and provide comments to the applicant.
- Once a plan is approved by the CPC staff, the applicant will record the plan with the Notarial Archives and the Office of Conveyances and post a maintenance bond.
- After this is complete, the applicant may continue with the permitting process.
- Stormwater features are subject to inspection during and after construction.



How can you manage stormwater?

Stormwater can be managed using a combination of grey and green infrastructure. Grey infrastructure is the conventional pipe and gutter approach to conveying stormwater into a receiving water body, while green infrastructure uses vegetation, soils, and natural process to extend the time of concentration, reduce the volume, and improve the quality of the stormwater runoff. In the new Comprehensive Zoning Ordinance, Article 23 requires that the first 1.25 inches to be retained on-site using green infrastructure techniques. These techniques include permeable pavement, vegetated swales, rain gardens and bioretention areas, as well as detention and retention basins and other techniques. More green infrastructure types can be found in Article 23.

Who can design a stormwater management plan for my site?

To find a registered landscape architect licensed by the Louisiana Horticulture Commission, please visit: <http://www.ldaf.state.la.us/consumers/horticulture-programs/louisiana-horticulture-commission/>

To find a registered professional engineer licensed by the Louisiana Professional Engineering and Land Surveying Board (LAPELS), please visit: <http://www.lapels.com>

Need more information about Article 23?

- To learn more about the requirements for a Stormwater Management Plan, please refer to the *Stormwater Management Plan Requirements*
- To learn what constitutes an impervious surface, please visit our *Calculation of Impervious Surfaces* document
- For an in-depth guide to the CPC Stormwater process, please refer to our *Stormwater Management Guide*

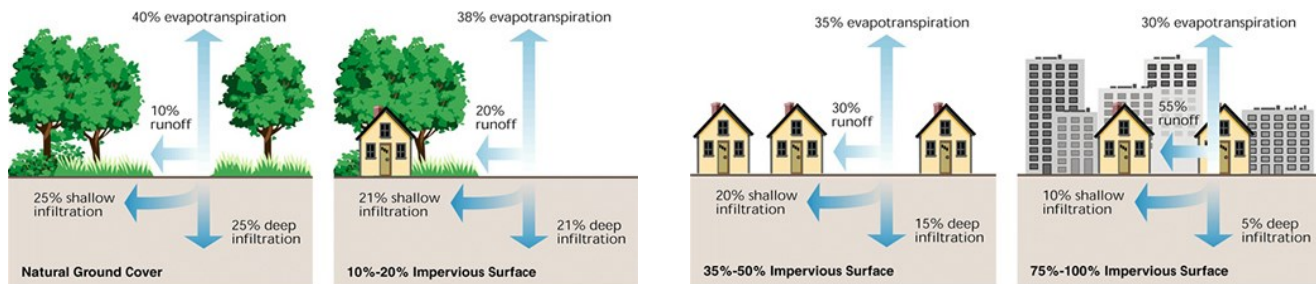


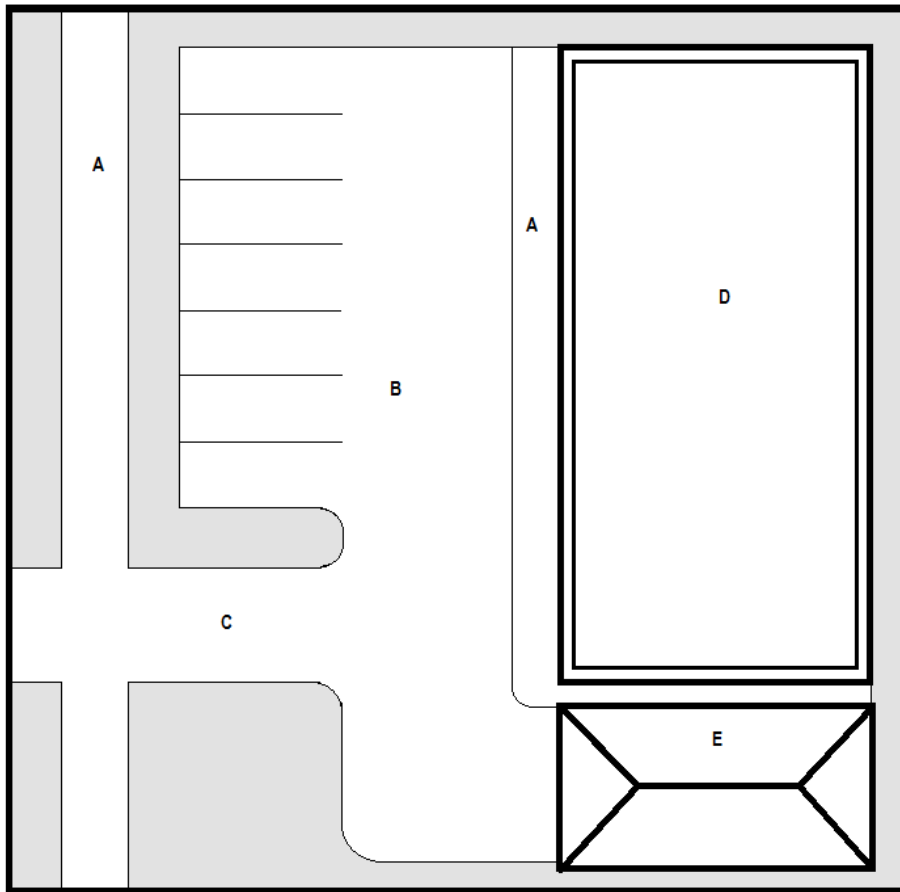
Fig. 3.21 -- Relationship between impervious cover and surface runoff. Impervious cover in a watershed results in increased surface runoff. As little as 10 percent impervious cover in a watershed can result in stream degradation. In Stream Corridor Restoration: Principles, Processes, and Practices (10/98). By the Federal Interagency Stream Restoration Working Group (FISRWG) (15 Federal agencies of the U.S.)

Contact

If you have questions about the process, application requirements or stormwater management, Stormwater Staff are available for open office hours from 8AM to 5PM on Wednesdays at the OneStopShop on the 7th floor of City Hall (1300 Perdido Street). You can also call 504-658-7033 and ask to speak with a stormwater planner, or email stormwater@nola.gov.

HOW TO CALCULATE IMPERVIOUS SURFACES

Use this document to determine the total area of impervious surfaces on a site and to determine if compliance with Article 23 of the Comprehensive Zoning Ordinance is necessary.



The diagram above depicts a sample commercial development site. In order to calculate the total area of impervious surfaces, follow the table below. Be sure to include all paved surfaces and roofs on site. Single and two-family residential uses are exempt from the requirements of Article 23.

Calculation of Impervious Area

Enter the total square footage of each below:

| | | | |
|---|-------------------------------|---|--|
| A. | Sidewalks | = | |
| B. | Parking Lot | = | |
| C. | Driveways | = | |
| D. | Main Structure Roof Area | = | |
| E. | Accessory Structure Roof Area | = | |
| x | Sum of A through E | = | |
| y | Total Lot Area | = | |
| $x \div y = \text{Total Impervious Area}$ | | | |

REASONS FOR STORMWATER REVIEW

- Impervious footprint is equal to or greater than 5,000 square feet
 - Impervious surfaces include rooftops, driveways, sidewalks, parking lots.
- Site is equal to or greater than 1 acre.
 - 1 acre = 43,560 square feet
 - Area can be measured on the Property Viewer
 - A Site is one or more adjacent lots that are under consideration for development or redevelopment, whether or not the lots have been subdivided
- Single and two-family residential is excluded

EXAMPLES:

- If a site is one acre or more and only has a small structure on it that is less than 5,000 square feet, it will be subject to Article 23 and the SWMP requirements.
- If a site is less than one acre and has an impervious footprint of 5,000 square feet or more, it will be subject to Article 23 and the SWMP requirements.
- If a proposed development has a restaurant on one lot and parking on the adjacent lot, and the combined square footage of the structure, parking, and or other impervious surface is equal to or greater than 5,000 square feet, it will be subject to Article 23 and the SWMP requirements.
- If a proposed development shows several adjacent lots that together equal one acre or more in size, it will be subject to Article 23 and the SWMP requirements regardless of the square footage of the structures or impervious surfaces.
- If a proposed development is one large single family home of 6,000 square feet on a one acre site, the project will NOT be subject to Article 23 and the SWMP requirements.
- If a proposed development is a multifamily structure consisting of four units with an impervious footprint of 6,000 square feet (including parking area, driveway, rooftop and the patio around the pool), it will be subject to Article 23 and the SWMP requirements regardless of the size of the site.

Frequently Asked Questions

- **What is an impervious surface?** An impervious surface is the portion of a site that is occupied by structures, pavement, and other impervious surfaces that do not allow for the absorption of water.
- **Is an engineer required to complete this form?** No, this form is only a learning tool and an engineer is not required to complete this form.
- **Are pools considered permeable or impermeable?** A pool is considered permeable, but any decking made of impermeable materials is counted towards the total.
- **What is the threshold that triggers compliance with Article 23?** Article 23 requires the development of a Stormwater Management Plan for sites over 1 acre in total square footage, or sites with over 5,000 square feet of impervious surfaces. Single and two-family residences are exempt.
- **What do I do if my development proposal has to comply with Article 23?** Visit the City Planning Commission office to discuss the requirements of Article 23 and to receive application materials. Stormwater Staff are available for open office hours from 8AM to 5PM on Wednesdays and can also be reached at the contact information below.